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S E C R E T SECTION 01 OF 03 KABUL 000258

SIPDIS

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TAGS: PGOV PREL PINR KDEM PHUM SOCI AF

SUBJECT: PRT/BAMYAN: POOR FACILITIES, CORRUPTION PLAGUE  
BAMYAN LAW ENFORCEMENT (PART 1 OF 2)

REF: A. A) 06 KABUL 0025 (OPIUM BURN)  
B. B) 05 KABUL 5268 (BAMYAN DEVELOPMENT CONFERENCE)  
C. C) 05 KABUL 4905 (ANP/GOVERNOR TENSION)  
D. D) 05 KABUL 5078 (COAL SMUGGLING CONCERNS)

Classified By: CHARGE D'AFFAIRES, A.I. RICHARD NORLAND FOR REASONS 1.4  
(B) AND (D)

11. (SBU) SUMMARY: The law enforcement organs in Bamyan are on life support. Poorly paid, equipped, and trained police do little to counter lawlessness in the Central Highlands. Police and prosecution corruption exacerbates and undermines the people's already shaky faith in Central Government authority. Law enforcement's misadventures surrounding the recent opium seizure and burn highlight the gaps in Bamyan's law enforcement capacity. This is the first cable in a two-part series on Bamyan's beleaguered law enforcement apparatus. END SUMMARY.

Diminishing Order and No Law

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12. (SBU) While Bamyan Province is widely known for its relatively stable security environment, its stability exists in spite of, rather than because of, police and law enforcement efforts in the province. Police do little to prevent or control crime, as Chief of Police (COP) Wahadat has admitted privately to PRTOff on several occasions. The situation appears even worse when it comes to prosecution of suspects. Of the 71 cases referred to the Chief Prosecutor's office by the ANP in 2005, only 19 have gone to trial thus far. In one burglary case, the suspect has been held for three years without any charges being filed.

Limited Equipment, Resources, Personnel, and Training

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13. (SBU) The ANP and Chief Prosecutor's office are not in a position to improve the current security environment. ANP Deputy COP Col. Abdul Malik agreed that the ANP is poorly trained, poorly equipped, and poorly run. As proof of the ANP's many deficiencies, Malik pointed to three incidents in the past few months in which unarmed individuals disarmed and assaulted ANP officers: "We cannot even protect ourselves, much less Bamyan's people."

14. (U) ANP officers in Bamyan work with limited resources. Police stations are uniformly in a state of disrepair, lacking power, communications, or running water. The Chief Prosecutor has relocated since his previous office collapsed; his new officer also lacks power, water, and communications equipment. (NOTE: The PRT has provided some equipment, and will build more permanent infrastructure for the ANP in the coming construction season (septel) END NOTE.) The ANP's vehicles (somewhere between 16 and 90, according to different ANP officials), except for the new Toyota pickups donated by the PRT, are in poor repair. The ANP gets an annual maintenance budget of USD 750 for its entire provincial vehicle fleet. Fuel supplies are also meager. MOI provides Bamyan ANP 5 liters of fuel per day (we believe this means 5 liters per vehicle per day), which Malik admitted goes primarily to the officer corps. The police do not maintain any emergency response vehicles in their fleet. The Chief Prosecutor's office has no vehicles.

15. (U) ANP recruits receive little or no training before beginning their work, and little pay when they do. A handful of police (mainly officers) have been sent to Kabul for training, but most begin work with little understanding of their ANP responsibilities. Chief Prosecutor Azizullah Hadafmand's own staff - consisting of seven prosecutors in Bamyan plus one in each district, along with 10 administrative personnel - have also received little formal instruction in their responsibilities.

Corruption Undermines What Little Capacity Exists

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16. (SBU) Police and prosecutors, paid extremely low wages,

are easy targets for corruption. With entry-level police earning 800 Afghanis (approx. USD 16) per month, and even the Chief Prosecutor's salary capped at 2000 Afs (approx. USD 40) per month, it is not surprising that soldiers and prosecutors are unwilling/unable to maintain the peace in Bamyan. (COMMENT: By way of comparison, PRT interpreters earn USD 500/month. END COMMENT) Furthermore, the police forces rarely receive their full 800 Afs salary, as the ANP leadership in Bamyan appears to extort money from its own employees. Yakawlang District COP Hussein cheerfully admitted to us that he withholds 30 percent of his men's salaries: "We have to pay baksheesh (bribes) to Kabul for them to release uniforms, heating fuel, food, you name it. Of course I take their money!" ANP COP Wahadat echoes these points, downplaying his officers' illegal activity as a cost of doing business. (ref C)

¶ 17. (S) Wahadat and Malik may be the ringleaders of ANP corruption in Bamyan. We believe COP Wahadat is involved in drug and artifact smuggling through Bamyan (ref C), and that Deputy COP Malik "taxes" coal trucks, diverting coal away from Bamyan to other destinations, namely Kabul, for a fee. (ref D) As Wahadat admitted to us, "of course we (the ANP) are corrupt. We have no salaries, we have no income. ANP officers need their cut to survive." Wahadat predicted that if you "pay officers a living wage, and stop top-level (national-level) corruption, it will disappear." (ref C)

¶ 18. (S) Chief Prosecutor Hadafmand likewise is widely believed to accept bribes in return for failing to prosecute individuals, although we have no hard evidence of this. Given his low salary and the number of cases referred to his office versus the number of cases tried, it appears plausible. In fairness, Hadafmand's office does not have the independence it needs to conduct investigations and prosecutions in a fair and impartial manner. It is likely that politically powerful persons within the province exert undue pressure on the Chief Prosecutor's office concerning certain investigations. We know that even Governor Sarabi (whom we do not consider to be corrupt) has exerted pressure on the Chief Prosecutor's office at least once to release an arrested individual. (It is unclear what the present status of this individual is.)

Case in Point: Bungled Opium Burn

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¶ 19. (SBU) The recent situation surrounding the burning of 1.9 tons of opium highlights the gaps in law enforcement's capacity to preserve law and order. Bamyan police claimed "a major victory against crime" when it arrested three suspects attempting to remove a 1.9 ton opium cache from its hiding place in caves near Bamyan City. (ref A) Police were lucky enough to find the suspects again five days after they evaded the police at a checkpoint in Yakawlang District. Counternarcotics officials in Kabul, the Governor, and press witnessed the PRT weigh, transport, and burn the opium in plain view behind the PRT's concertina wire outer perimeter on December 28. (ref A)

¶ 10. (SBU) Subsequent events, however, cast a pall on this "victory." Ministry for Counternarcotics officer Mohibullah Loodin regretfully informed PRTOFF on December 29 that the three suspects were no longer in custody, disappearing sometime after arrest but before incarceration at the Bamyan prison. Further, according to Loodin's sources, the opium cache originally contained over three tons of opium when the ANP found it. Loodin promised that MOI would send investigators from Kabul to delve into the missing drugs and disappearing suspects.

COMMENT: Where to Begin?

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¶ 11. (SBU) Bamyan has a relatively permissive security environment, but that security is fragile. For the environment to stabilize independent of Coalition/PRT presence, the law enforcement apparatus in Bamyan must develop both the capacity and the will to enforce law and order in an even-handed, transparent, and effective manner. This is not likely to occur at lower levels until it occurs at the top, and a continuing lack of resources makes this transformation unlikely in the near future.

NORLAND